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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

LAMAR SINGLETON, SR.,

Plaintiff,

v.

ELI LILLY, CO.,

Defendants.

CASE NO. 1:10-cv-02019-AWI-SKO

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS THAT
PLAINTIFF'S COMPLAINT BE
DISMISSED**

(Doc. No. 18)

On June 5, 2012, the Magistrate Judge issued Findings and Recommendations that Plaintiff's complaint be dismissed with prejudice. (Doc. 18.) These Findings and Recommendations were served on all parties appearing in the action and contained notice that any objections were to be filed within twenty-eight (28) days after service of the order. No objections were filed.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the Court concludes that the Magistrate Judge's Findings and Recommendations are supported by the record and proper analysis. The court will dismiss all claims against Defendant Eli Lilly with prejudice. Further, it appears that Plaintiff may be attempting to add Sherri Lopez as a defendant (Lopez is mentioned for the first time in the second amended complaint, but she is not listed in the caption of the complaint or in the section of the complaint that lists the names of the defendants). Although Rule of Civil Procedure 20 permits a plaintiff to join multiple defendants in a single cause of action, Rule 20's criteria has

1 not been met in this case. See Fed. R. Civ. Pro. 20(a)(2). Accordingly, to the extent that Plaintiff
2 is attempting to allege claims against Sherri Lopez in this case, the court will dismiss Lopez without
3 prejudice, but without leave to amend. Plaintiff may file a separate cause of action against Sherri
4 Lopez.¹

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7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. The Findings and Recommendations issued June 5, 2012, are ADOPTED IN FULL;
- 9 2. Plaintiff's claims against Defendant Eli Lilly are DISMISSED with prejudice and
10 without leave to amend;
- 11 3. Plaintiff's claims against Sherri Lopez are DISMISSED without prejudice, but
12 without leave to amend in this court; and
- 13 4. This Clerk shall CLOSE this case.

14 IT IS SO ORDERED.

15 Dated: July 24, 2012

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18 CHIEF UNITED STATES DISTRICT JUDGE
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28 ¹The Court is not making any determinations regarding the validity of any claims that Plaintiff may have
against Sherri Lopez.